



FILED

April 26, 2021

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY: lad
DEPUTY

הנהלת בתי המשפט
إدارة المحاكم
COURTS ADMINISTRATION

Legal Assistance to Foreign Countries

המחלקה לסיוע למדינות זרות

07.04.2021

4700-1013-2021-000978

The undersigned authority, upon authorization from the Director of Courts, has the honor to certify, that the documents annexed hereto is a certificate issued by Nazareth Magistrate Court, under the Legal Assistance to Foreign State Regulations, 5759-1999, and that the signature appearing thereon is the signature of the Honorable Judge Doron Porat of the said court.

Done in Jerusalem,

The Signature and/or stamp

Barak Laser (Mr.), Advocate

The Legal Adviser to the Administration of Courts

Magistrate Court File: 35287-02-21

Directorate of Courts File: 51-2-21

Your Reference: Case No. 6:20-cv-00479-ADA



הנהלת בתי המשפט
إدارة المحاكم
COURTS ADMINISTRATION

Legal Assistance to Foreign Countries

המחלקה לסייע למדינות זרות

Date: April 7, 2021

File: 51-2/21

Court Reference: 35287-02-21

4700-1013-2021-000979

To:

The Honorable Judge Alan D Albright, District Judge
United States District Court for the Western District of Texas, Waco Division
800 Franklin Avenue Room 301
Waco, Texas 76701

USA

Dear Sir/Madam,

Subject: Your request for Legal Assistance

in the matter of: Dany Ruz

Your Reference: Case No. 6:20-cv-00479-ADA

This is to inform you that the Israeli Court has fulfilled your request for legal assistance, the findings of the court are attached to this letter.

Kindly acknowledge your reception of the documents to:
foreign.countries@court.gov.il

Sincerely,

Shiri Perelmutter
Legal Assistance to Foreign Countries
Jerusalem, Israel

Administration of Courts
Legal Assistance to Foreign Countries
22 Kanfei Nesharim St., Jerusalem 95464, Israel
Tel: 02-6556019, Fax: 02-6556837

16th Nissan 5781, 29.3.2021
5th request in file 35287-02-21
Doron Porat, Judge

Decision

The court has received the affidavit of the respondent and there is no need to hear his testimony.

The Court Secretariat will cancel the summons sent to respondent 1, asking him to appear before the court.

The Court Secretariat will transfer this decision to the department of legal aid to foreign countries at the Courts administration.

The Court Secretariat will close the file.

No order as to costs.

***** Signed digitally *****

25.3.2021

חד"א 35287-02-21
בפני כבוד הנשיא דורון פורת

בבית המשפט השלום
בנצרת

בעניין:

DELL TECHNOLOGIES INC.

DELL INC.

EMC CORPORATION

על-ידי ב"כ עוה"ד גירמי בנימין
ממשרד גולדפרב זליגמן ושות'

מרחוב יגאל אלון 98, תל אביב 6789141
טלפון: 03-6089829; פקסימיליה: 03-6089138

ובעניין:

הרשות השיפוטית ארה"ב

פרופ' דני רז

מספר פניות דומות שהוגשו: 0.

החלטה	ט"ז ניסן תשפ"א, 29/03/2021 בקשה 5 בתיק 35287-02-21 שו' דורון פורת
בית המשפט רשם בפניו את הצהרתו של המשיב, ובכך מתייחד הצורך בשמיעת עדותו.	
מזכירות בית המשפט תבטל את הזמנת המשיב מס' 1 לעדות.	
מזכירות בית המשפט תעביר את ההחלטה להנהלת בתי המשפט למחלקה לסיוע למדינות זרות.	
מזכירות בית המשפט תסגור את התיק.	
אין צו להוצאות.	
המשיב	
לביטול דיון	
נחתם דיגיטלית ***	

פניה דחופה

ולמתן תוקף של פסק דין להסכמות מבקשי העיון והמשיב 1

בית המשפט הנכבד מתבקש ליתן תוקף של פסק דין להסכמות מבקשי העיון והמשיב 1 ("הצדדיים") ובתוך כך לבטל את דיון הליך גביית העדות הקבוע ליום 4.4.2021, מהטעמים הבאים:

ואלו נימוקי הבקשה:

1. ביום 25.3.2021 הצדדים הגיעו להסכמות לפיהן חתימתו של פרופ' דני רז על ההצהרה המצורפת כנספח 1 לפניה זו, מקיימת את המבוקש של מבקשי העיון כמפורט בבקשת המבקשת 1 לחיקור דין מושא הליכים אלו.
2. העתק הצהרה חתומה מיום 25.3.2021 מצורף כנספח 1.
3. בנסיבות אלו, הליך גביית העדות מפרופ' רז מתייחד ולכן מתבקש בית המשפט הנכבד ליתן תוקף של פסק דין להסכמות הצדדים למחוק את ההליך ללא צו להוצאות.
4. בהתאם לזאת, מתבקש בית המשפט הנכבד לבטל את הדיון הקבוע ליום 4.4.2021.
4. בקשה זו מוגשת בהסכמת המשיב 1.



גירמי בנימין, עו"ד
בא-כוח מבקשי העיון

נספח 1

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

WSOU INVESTMENTS, LLC d/b/a
BRAZOS LICENSING AND
DEVELOPMENT,

Plaintiff,

v.

DELL TECHNOLOGIES INC., DELL
INC., AND EMC CORPORATION.

Defendants.

Case No. 6:20-cv-00479-ADA

JURY TRIAL DEMANDED

DECLARATION OF DANNY RAZ REGARDING LETTER OF REQUEST

I, Danny Raz, declare as follows:

1. I have personal knowledge of the matters stated below and, if called, would testify to them under oath.

2. I am a named inventor of U.S. Patent No. 8,402,129 ("129 Patent"). The '129 patent was filed on March 21, 2001 and issued on March 19, 2013.

3. I have reviewed the Letter of Request filed with the Magistrates' Court of Nazareth Israel (attached hereto as **Appendix A**). I do not have any documents that are responsive to any of the document requests recited in Appendix A, Ex. A1. I also do not have any recollection of any facts related to the topics mentioned in Appendix A, Ex. A2.

4. I do not have any relevant testimony or facts relating to the '129 patent or the above-captioned proceeding in the United States District Court for the Western District of Texas, with case number 6:20-cv-00479-ADA. As a result, I do not intend to appear for trial or otherwise participate in the above-captioned proceeding.

5. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: March 25, 2021


/s/

Danny Raz

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

**WSOU INVESTMENTS, LLC d/b/a BRAZOS
LICENSING AND DEVELOPMENT,**

Plaintiff,

v.

**DELL TECHNOLOGIES INC., DELL INC.,
AND EMC CORPORATION,**

Defendants.

Case No. 6:20-cv-00479-ADA

JURY TRIAL DEMANDED

**LETTER OF REQUEST: REQUEST FOR INTERNATIONAL JUDICIAL ASSISTANCE
PURSUANT TO THE HAGUE CONVENTION OF 18 MARCH 1970 ON THE TAKING
OF EVIDENCE ABROAD IN CIVIL OR COMMERCIAL MATTERS**

GREETINGS:

1. Sender	The Honorable Judge Alan D Albright, District Judge United States District Court for the Western District of Texas, Waco Division 800 Franklin Avenue Room 301 Waco, Texas 76701 USA
2. Central Authority of the Requested State	Administration of Courts Legal Assistance to Foreign Countries 22 Kanfei Nesharin St. Jerusalem 9546435 Israel Email: Mishpatit@court.gov.il Foreign.Countries@court.gov.il
3. Person to whom the executed request is to be returned	This Court; representatives of the parties as indicated below; the witnesses from whom evidence is requested as indicated below; such other person(s) that you deem proper; and Defendants' representative in Israel: Jeremy Benjamin Goldfarb Seligman & Co.

	Ampa Tower 98 Yigal Alon Street Tel Aviv 6789141 Israel Tel: +972 (3) 608-9803 Fax: +972 (3) 608-9911 Email: jeremy.benjamin@goldfarb.com
4. Specification of the date by which the requesting authority requires receipt of the response to the Letter of Request	June 1, 2021

In conformity with Article 3 of the Hague Convention on the Taking of Evidence Abroad in Civil or Commercial Matters ("Hague Convention"), Federal Rule of Civil Procedure 28(b), and 28 U.S.C.A. 1781(b), the undersigned authority respectfully has the honor to submit the following request:

5. a. Requesting Judicial Authority (Article 3, a)	The Honorable Judge Alan D Albright, District Judge United States District Court for the Western District of Texas, Waco Division 800 Franklin Avenue Room 301 Waco, Texas 76701 USA
b. To the competent Authority of (Article 3, a)	Israel
c. Names of the case and any identifying number	<i>WSOU Investments LLC v. Dell Technologies Inc.</i> Case No. 6:20-cv-00479-ADA, United States District Court for the Western District of Texas
6. Names and addresses of the parties and their representative (including representatives in the requested State) (Article 3, b)	
a. Plaintiffs	WSOU Investments LLC

Representatives	<p>WSOU is represented by:</p> <p>Brett Aaron Mangrum Etheridge Law Group 2600 East Southlake Blvd., Suite 120-324 Southlake, TX 76092 469-401-2659 Fax: 817-887-5950 Email: brett@etheridgelaw.com</p> <p>Jeffrey Huang Etheridge Law Group PLLC 2600 East Southlake Blvd Suite 120-324 Southlake, TX 76092 408-797-9059 Fax: 817-887-5950 Email: jhuang@etheridgelaw.com</p> <p>Ryan Scott Loveless Etheridge Law Group PLLC 2600 E Southlake Blvd Suite 120-324 Southlake, TX 76092 972-292-8303 Fax: 817-887-5950 Email: ryan@etheridgelaw.com</p> <p>James L. Etheridge Etheridge Law Group, PLLC 2600 E. Southlake Blvd., Suite 120-324 Southlake, TX 76092 817-470-7249 Fax: 817-887-5950 Email: jim@etheridgelaw.com</p>
b. Defendants	Dell Technologies Inc., Dell Inc., and EMC Corporation (collectively "Defendants")
Representatives	<p>Dell Technologies Inc., Dell Inc., and EMC Corporation are represented by:</p> <p>Shelton Coburn LLP:</p>

Barry K. Shelton
Shelton Coburn LLP
311 RR 620 S
Suite 205
Austin, TX 78734-4775
512-263-2165
Fax: 512-263-2166
Email: bshelton@sheltoncoburn.com

Gibson, Dunn & Crutcher LLP:

Benjamin Hershkowitz
Brian A. Rosenthal
Allen Kathir
Kyanna Sabanoglu
GIBSON, DUNN & CRUTCHER LLP
200 Park Avenue
New York, NY 20036-5306
Telephone: (212) 351-2410
Email: BHershkowitz@gibsondunn.com
BRosenthal@gibsondunn.com
AKathir@gibsondunn.com
KSabanoglu@gibsondunn.com

Y. Ernest Hsin
Jaysen S. Chung
GIBSON, DUNN & CRUTCHER LLP
555 Mission St., Ste. 3000
San Francisco, CA 94105-0921
Telephone: (415) 393-8200
Email: EHsin@gibsondunn.com
JSChung@gibsondunn.com

Ryan K. Iwahashi
GIBSON, DUNN & CRUTCHER LLP
1881 Page Mill Rd.
Palo Alto, CA 94304-1211
Telephone: (650) 849-5300
Email: RIwahashi@gibsondunn.com

The Defendant has appointed legal counsel in Israel to pursue and assist with the commission to take evidence. The details of the Defendant's legal counsel in Israel are:

Jeremy Benjamin

	Goldfarb Seligman & Co. Ampa Tower 98 Yigal Alon Street Tel Aviv 6789141 Israel Tel: +972 (3) 608-9803 Fax: +972 (3) 608-9911 Email: jeremy.benjamin@goldfarb.com
c. Other parties	N/A
Representatives	N/A
7. a. Nature of the proceedings (divorce, paternity, breach of contract, product liability, etc.) (Article 3, c)	Civil action alleging patent infringement under the patent laws of the United States.
b. Summary of complaint	Discovery sought in this Letter of Request is relevant in Case No. 6:20-cv-00479-ADA: In WSOU's complaint against Defendants, WSOU alleges that Defendants infringe U.S. Patent No. 8,402,129 ("the '129 patent").
c. Summary of defense and counterclaim	<p>In defense against WSOU's claims of patent infringement of the '129 patent, Defendants assert, inter alia, that they do not infringe any of claims of the '129 patent and that the '129 patent is invalid.</p> <p>Danny Raz has knowledge relevant to Defendants' defenses. Danny Raz is relevant to the action by virtue of being an inventor of the '129 patent. Danny Raz holds critical facts to this case, including facts relevant to a number of defenses raised by Defendants and any potential damages, including information related to the prosecution of the '129 patent; prior uses and/or sales or products and services incorporating the '129 patent, publications related to the concepts claimed in the '129 patent; commercialization, production and/or commercial embodiments related to the '129 patent; the state of the art at the time of the alleged invention and/or filing of the applications related to the '129 patent; the ownership and financial interests in the '129</p>

	<p>patent; conception, diligence and/or reduction to practice of the concepts claimed in the '129 patent; and the disclosure of the claimed invention of the asserted patent. As well as licensing of and/or agreements covering the '129 patent. And, financial knowledge including valuation and royalties associated with the '129 patent or any license and/or agreement covering the '129 patent; and other financial interests (including revenue, costs, expenses and profits) as well as financial interests and information related to the '129 patent.</p>
d. Other necessary information or documents	<p>Danny Raz's current address is: Department of Computer Science CS Taub Building Technion Israel Institute of Technology, Haifa 3200003 Israel</p>
8. a. Evidence to be obtained or other judicial act to be performed (Article 3d),	<p>In order to present its defenses that the '129 patent is not infringed, invalid, and unenforceable and to determine any alleged damages, Defendants seek certain documents from Danny Raz. Attached as Exhibit A1 is a request of production of certain documents that Defendants believe are likely to be in the possession, custody, or control of Danny Raz.</p> <p>To further clarify the evidence sought, attached as Exhibit A2 is an outline of the topics and issues about which counsel for Defendants intend to inquire of Danny Raz.</p>
b. Purpose of the evidence or judicial act sought	<p>With respect to the '129 patent, Danny Raz has information and knowledge relating to the prosecution of the '129 patent; prior uses and/or sales or products and services incorporating the '129 patent, publications related to the concepts claimed in the '129 patent; commercialization, production and/or commercial embodiments related to the '129 patent; the state of the art at the time of the alleged invention and/or filing of the applications related to the '129 patent; the ownership and financial interests in the '129 patent; conception, diligence and/or reduction to practice of the concepts claimed in the '129 patent;</p>

	<p>and the disclosure of the claimed invention of the asserted patent. As well as licensing of and/or agreements covering the '129 patent. And, financial knowledge including valuation and royalties associated with the '129 patent or any license and/or agreement covering the '129 patent; and other financial interests (including revenue, costs, expenses and profits) as well as financial interests and information related to the '129 patent.</p> <p>This evidence is directly relevant to Defendants' claims that the '129 patent is not infringed, invalid, and unenforceable and to determine any alleged damages under United States patent law.</p>
9. Identity and address of any person to be examined (Article 3, e)	<p>Danny Raz</p> <p>Department of Computer Science CS Taub Building Technion Israel Institute of Technology, Haifa 3200003 Israel</p>
10. Questions to be put to the persons to be examined or statement of the subject matter about which they are to be examined (Article 3, f)	See Exhibit A2
11. Documents or other property to be inspected (Article 3, g)	See Exhibit A1
12. Any requirement that the evidence be given on oath or affirmation and any special form to be used (Article 3, h)	We respectfully request that the testimony be taken under oath.
13. Special methods or procedure to be followed (e.g. oral or in writing, verbatim, transcript or summary, cross-examination, etc.) (Article 3, i) and 9)	<p>This Court respectfully requests that Danny Raz be directed to produce the documents identified in attached Exhibit A1.</p> <p>This Court respectfully requests that the Central Authority direct the witness to appear on or before</p>

	<p>June 1, 2021.</p> <p>This Court respectfully requests that attorneys of the Defendant be permitted to examine and cross-examine the witness, and that the witness be directed to answer such questions, relating to matters outlined in attached Exhibit A2.</p> <p>This Court respectfully requests that the examination be permitted to be conducted in accordance with the Federal Rules of Evidence and the Federal Rules of Civil Procedure to prevail in the event of a conflict.</p> <p>This Court respectfully requests that the examination be (partially) conducted via video conference to allow U.S. counsel to join the hearing.</p> <p>This Court respectfully requests that the testimony be video recorded and also transcribed verbatim.</p> <p>This Court respectfully requests that the testimony be taken in English language if the examined person(s) agree, and that, if need be, simultaneous translation be provided.</p> <p>Costs incurred in relation to the deposition examination (court reporter, video recorder, simultaneous translation) shall be at Defendants' expense.</p>
14. Request for notification of the time and place for the execution of the Request and identity and address of any person to be notified (Article 7)	This Court respectfully requests that you notify this Court; the representatives of the parties as indicated above; the witness from whom evidence is requested as indicated above; and such other person(s) that you deem proper.
15. Request for attendance or participation of judicial personnel of the requesting authority at the execution of the Letter of Request (Article 8)	No judicial personnel of the requesting authority will attend or participate.
16. Specification of privilege or duty to refuse to give evidence	Defendants believe that Danny Raz does not benefit from any privilege, and does not endorse the assertion of any such privilege or duty.

under the law of the State of origin (Article 11, b)	
17. The fees and costs incurred will be borne by	Defendants will bear the reimbursable costs associated with this request in accordance with the provisions of the Hague Convention.

So ORDERED and SIGNED this 9 day of November, 2020.


The Honorable Alan D Albright
U.S. District Court Judge

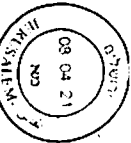


דואר רשמי

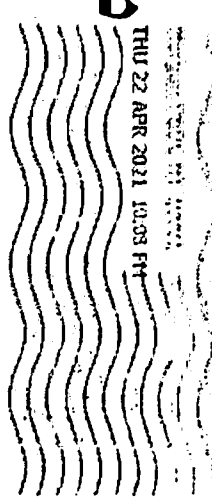
מדינת ישראל

מערכת בתי המשפט

המל"ח
בתי - המשפט
רח' בנק ישראל 22
ירושלים - 55464
02-6556821



THU 22 APR 2021 10:08 PM



To: The Honorable Judge Alan O Albright
District Judge

U.S District Court for the Western
District of Texas, Waco Division
800 Franklin Avenue Room 301
Waco, Texas 76701

U.S.A

קיימת אפשרות כי חוקי מסדה לפי כל דין מחול לגבי דפי הדואר.

משרד המשפטים - תל אביב